IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5606 OF 2005

Union of India through
Superintendent of Central Excise,
Thane-II Commissionerate ...Applicant
vs.
Pinakin Navnitlal Ghadiyali & Ors. ...Respondents

Mr.D.N.Salvi for the Applicant
Mr.Sultan Khan i/b Mr.Rizwan Merchant for Respondent No.1
Mr.R.Y.Mirza,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 7,2005

P.C.:

1. Heard learned Advocate for the Applicant, learned Advocate for the Respondent No.1 and the learned A.P.P. for State.

2. This application is made by the Union of India for cancellation of bail granted in favour of the Respondent No.1 by the learned Additional Chief Metropolitan Magistrate, Mumbai by order dated 23rd August 2005. My attention has been invited to the Affidavit dated 31st August 2005 filed by the Respondent No.1. In the said Affidavit an assurance was given by the Respondent No.1 to supply requisite documents to the Applicant. Shri Salvi appearing for the Applicant states that certain documents have been supplied by the Respondent No.1 to the Applicant. He states that the said documents will have to be verified by the concerned Officer. Shri Salvi on instructions of the concerned Officer states that at this

stage, the Applicant is not pressing for relief of cancellation of bail and the application may be disposed of by reserving the liberty to the Applicant to apply afresh after the scrutiny of documents for cancellation of bail. The learned Advocate for the Respondent No.1 on instructions states that the Respondent No.1 will remain present in the concerned Office and will co-operate for the purposes of investigation. The statement is accepted.

3. In view of this position, application is dismissed as not pressed with liberty to take out a fresh application as prayed.

JUDGE